

**ENTERED**

June 11, 2024

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISIONCHARLES GALBRAITH, *et al.*,

Plaintiffs,

V.

WASHINGTON NATIONAL INSURANCE  
COMPANY, *et al.*,

Defendants.

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CIVIL ACTION NO. 6:23-CV-00057

**ORDER ADOPTING MEMORANDUM & RECOMMENDATION**


Before the Court is Magistrate Judge Julie Hampton's Memorandum and Recommendation ("M&R"). (D.E. 30). The M&R recommends that the Court deny Plaintiffs' motion for remand, (D.E. 4), and motion for contempt, (D.E. 14). The M&R further recommends that the Court dismiss Plaintiffs' claims against Skip Francisco and DeeAnn Boyd and deny as moot Francisco and Boyd's motion to dismiss, (D.E. 11). (D.E. 30, p. 1).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No objection has been filed. When no timely objection has been filed, the district court need only determine whether the Magistrate Judge's M&R is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Badaiki v. Schlumberger Holdings Corp.*, 512 F. Supp. 3d 741, 743–44 (S.D. Tex. 2021) (Eskridge, J.).

Having reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 30). Accordingly, the Court **DENIES** Plaintiffs' motion to remand, (D.E. 4), and motion for contempt, (D.E. 14). The Court

further **DISMISSES** Plaintiffs' claims against Francisco and Boyd and **DENIES** as moot Francisco and Boyd's motion to dismiss. (D.E. 11).

SO ORDERED.



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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE

Dated: Corpus Christi, Texas  
June 11<sup>th</sup>, 2024